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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	<i>Application Number</i>	09/434,382
	<i>Filing Date</i>	5 November 1999
	<i>First Named Inventor</i>	Sean V. TAVTIGIAN
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J.E. Hunt
	<i>Attorney Docket Number</i>	2318-247
<i>Title of the Invention:</i> CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE		

RESPONSE AFTER FINAL

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APR 03 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

Reconsideration of the rejections set forth in the Office Action mailed 2 January 2002 is requested in view of the following remarks.

REMARKS

Claims 10, 25, 64-66 and 78 have been rejected under 35 USC §112, first paragraph for lack of written description. The Examiner contends that the specification fails to reasonably convey to a person of ordinary skill in the art that Applicants had possession of the claimed invention. It is submitted that the Examiner is in error in this rejection.

Claims 10 and 64-66 are directed to sets of nucleic acid probes for use in a microchip assay. Each nucleic acid probe comprises at least 8 contiguous nucleotides of the nucleic acid which encodes a polypeptide comprising the amino acid set forth in SEQ ID NO:2, or a specified variant thereof. The set of nucleic acid probes encompasses part of all of the said nucleic acid. Claim 10 is directed to a set encompassing the wild-type *HPC2* gene, whereas claims 64-66 are directed to a set encompassing specified variant *HPC2* genes. The specification describes microchip technology at page 12, lines 6-19 and page 20, lines 15-21. Probes are described at page 11, line 20 - page 12, line 5, page 20, lines 15-21 and page 23, line 13 - page 25, line 10. The number of nucleotides contemplated for such probes are described at page 20, lines 15-21, especially lines 19-21 and page 21, lines 4-16. There can be no question in the mind of a person of ordinary skill in the art of nucleic